

Amendments to the Claims

The listing of claims replaces all prior versions and listing of claims in the application:

Listing of Claims:

1. (Currently Amended): A bone or cartilage implant delivery device comprising:
a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, wherein the distal end of the outer shaft is suitable for holding the implant; and
an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the ~~entire~~ inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member around a portion of an outer surface of the inner shaft, the friction member in the shape of a ring.
2. (Currently Amended) The device of claim 1 wherein ~~one or more of the shafts comprise means to~~ the friction member provides friction-retarded movement of the inner shaft through the outer shaft.
3. (Previously Presented) The device of claim 1 further comprising an implant disposed within the distal end of the outer shaft.
4. (Canceled).
5. (Previously Presented) The device of claim 3 further comprising at least one slot in the outer shaft for visualizing the implant.
- 6-7. (Canceled).
8. (Original) The device of claim 1 further comprising smooth, rounded surfaces on the proximal and distal ends of the outer shaft and inner shaft.

9-23. (Canceled).

24. (Previously Presented) A method for delivering a bone or cartilage implant into a tissue defect, the method comprising:

providing an implant delivery device including a tubular outer shaft having a proximal and distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, an inner shaft having a distal end and a proximal end, wherein the proximal end of the inner shaft is suitable for insertion into a defect, the inner shaft adapted to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged;

inserting the implant into the distal end of the outer shaft, wherein when the implant is disposed in the outer shaft the proximal end of the inner shaft protrudes from the proximal end of the outer shaft and the length of the implant equals the length of the protruding section of the inner shaft;

inserting the proximal end of the inner shaft into the defect until the proximal end of the inner shaft contacts the bottom of the defect;

advancing the outer shaft in the proximal direction until the proximal end of the outer shaft contacts the surface of tissue surrounding the defect, causing a portion of the implant to extend beyond the distal end of the outer shaft;

cutting off the portion of the implant extending beyond the distal end of the outer shaft, leaving a remaining portion disposed within the outer shaft;

placing the distal end of the outer shaft over the defect; and

distally advancing the inner shaft to push the portion of the implant remaining, after cutting, into the defect.

25. (Previously Presented) The method of claim 24 further comprising placing a cap around the distal end of the outer shaft after the portion of the implant extending beyond the distal end of the outer shaft has been cut off and adding a bioactive fluid to the distal end of the outer shaft.

26. (Currently Amended) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, wherein the distal end of the outer shaft is suitable for holding the an implant; and

an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the ~~entire~~ inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member around a portion of an outer surface of the inner shaft, the friction member in the shape of a ring. .

27. (Original) The kit of claim 26 further comprising an implant.

28. (Original) The kit of claim 26 further comprising a knife.

29. (Original) The kit of claim 26 comprising a plurality of bone or cartilage implant delivery devices each having different sizes of internal bores and inner shafts.

30. (Currently Amended) An implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, ~~wherein the distal end of the outer shaft is suitable for holding the implant; and~~

an inner shaft having a distal end and a proximal end, wherein the ~~entire~~ inner shaft is configured to fit within the ~~entire~~ internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

a solid implant housed within the distal end of the outer shaft.

31. (Canceled)

32. (Currently Amended) The device of claim 310 further comprising at least one slot in the outer shaft for visualizing the implant.

33. (Previously Presented) The device of claim 30 wherein the proximal and distal ends of the outer and inner shafts include smooth, rounded surfaces.

34. (Previously Presented) The device of claim 30 wherein one or more of the shafts comprise means to provide friction-retarded movement of the inner shaft through the outer shaft.

35. (Previously Presented) The device of claim 30 wherein a diameter of both the proximal end and the distal end of the inner shaft is smaller than the internal bore of the outer shaft.

36. (Previously Presented) The device of claim 1 wherein a diameter of both the proximal end and the distal end of the inner shaft is smaller than the internal bore of the outer shaft.

37. (New) A bone or cartilage implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, wherein the distal end of the outer shaft is configured for holding the implant; and

an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end.

38. (New) A bone or cartilage implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft; and

an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer

shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end.

39. (New) A method for delivering a bone or cartilage implant into a tissue defect, the method comprising:

providing an implant delivery device including a tubular outer shaft having a proximal and distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, an inner shaft having a distal end and a proximal end, the inner shaft adapted to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end of the inner shaft;

inserting the implant into the distal end of the outer shaft, wherein when the implant is disposed in the outer shaft the proximal end of the inner shaft protrudes from the proximal end of the outer shaft, the implant including closed ended proximal and distal ends; and

distally advancing the inner shaft to push the implant into the defect.

40. (New) A method for delivering a bone or cartilage implant into a tissue defect, the method comprising:

providing an implant delivery device including a tubular outer shaft having a proximal and distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, an inner shaft having a distal end and a proximal end, the inner shaft adapted to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end of the inner shaft;

inserting the implant into the distal end of the outer shaft, wherein when the implant is disposed in the outer shaft the proximal end of the inner shaft protrudes from the proximal end of the outer shaft, the implant including a non-threaded outer surface; and

distally advancing the inner shaft to push the implant into the defect.

41. (New) An implant delivery device comprising:

- a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

- an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

- an implant housed within the distal end of the outer shaft, the implant including a body, the body including closed ended proximal and distal ends.

42. (New) An implant delivery device comprising:

- a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

- an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

- an implant housed within the distal end of the outer shaft, the implant including a non-threaded outer surface.

43. (New) An implant delivery device comprising:

- a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

- an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end; and

- an implant housed within the distal end of the outer shaft.

44. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

- a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end; and
the implant.

45. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end; and
the implant.

46. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and
the implant, wherein the implant includes a solid body.

47. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft;

an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

the implant, wherein the implant includes a body, the body including closed ended proximal and distal ends.

48. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, the distal end of the outer shaft configured for holding the implant;

an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

the implant, wherein the implant includes a body, the body including closed ended proximal and distal ends.

49. (New) A kit comprising at least one bone or cartilage implant delivery device, the implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, the distal end of the outer shaft configured for holding the implant;

an inner shaft having a distal end and a proximal end, the proximal end suitable for insertion into a defect, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged; and

the implant, wherein the implant includes a solid body.

50. (New) A bone or cartilage implant delivery device comprising:

a tubular outer shaft having a proximal and a distal end, a longitudinal axis, and an internal bore along the longitudinal axis of the outer shaft, wherein the distal end of the outer shaft is configured for holding the implant; and

an inner shaft having a distal end and a proximal end, wherein the inner shaft is configured to fit within the internal bore of the outer shaft so that the inner shaft and the outer shaft are slidably engaged, the inner shaft including a friction member located between the distal end and the proximal end, wherein the friction member provides friction-retarded movement of the inner shaft through the outer shaft.